

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 12, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMIE NOLAND M.,¹

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 1:23-cv-03045-LRS

ORDER GRANTING STIPULATED
MOTION TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand, ECF No. 15. Based on the stipulation of the parties, the Court finds good cause to grant the motion.

Accordingly, pursuant to the stipulation, **IT IS HEREBY ORDERED:**

1. Defendant's Stipulated Motion for Remand, **ECF No. 15** is **GRANTED**.

¹ The court identifies a plaintiff in a social security case only by the first name and last initial in order to protect privacy. *See* LCivR 5.2(c).

2. This case is **REVERSED** and **REMANDED** for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

3. On remand, the Appeals Council will instruct the ALJ to: reevaluate the claimant's alleged symptoms; reevaluate the opinion evidence of record; reevaluate the claimant's maximum residual functional capacity; if warranted by the expanded record, obtain supplemental vocational expert evidence to clarify the effect of the assessed limitations on the claimant's ability to perform other work in the national economy; and offer the claimant the opportunity for a hearing, take any further action needed to complete the administrative record, and issue a new decision.

4. Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses, and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(a), (d).

5. Plaintiff's Opening Brief, **ECF No. 9**, and the hearing and remaining briefing schedule are **VACATED** as moot.

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order and provide copies to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

DATED September 12, 2023.


LANNY R. SUKO

Senior United States District Judge